



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION II

290 BROADWAY

NEW YORK, NEW YORK 10007-1866

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

July 30, 2008

Richard Hahn, Senior Counsel  
Poly One Corporation  
33587 Walker Road  
Avon Lake, OH 44012

RE: Draft Focused RI/FS Administrative Agreement and Order on Consent  
L.E. Carpenter Superfund Site, Morris County, New Jersey

Dear Mr. Hahn:

As you know, in a letter dated May 18, 2004, the United States Environmental Protection Agency ("EPA") notified L.E. Carpenter & Company that it is a potentially responsible party ("PRP") under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. Section 9601, *et. seq.*, with respect to the L.E. Carpenter Superfund Site ("Site"), located in the Borough of Wharton, Morris County, New Jersey.

Under the oversight of the New Jersey Department of Environmental Protection ("NJDEP"), PolyOne Corporation has been conducting remedial activities at the Site on behalf of its subsidiary, L.E. Carpenter & Company. In a letter dated April 18, 2008 from EPA to NJDEP, EPA outlined its plans to transfer the enforcement lead for this Site from NJDEP to EPA's New York Remediation Branch. EPA is currently the lead agency overseeing all remedial activities at the Site, except for the groundwater investigation in the vicinity of MW-30, which will continue to be overseen by NJDEP.

By this letter, EPA advises you that it intends to initiate discussions with you to voluntarily finance and conduct; (1) a monitored natural attenuation ("MNA") evaluation to determine whether MNA is an appropriate remedy for the groundwater contamination at the Site; and, (2) a Focused Remedial Investigation/Feasibility Study ("Focused RI/FS") in the MW-19/Hot Spot 1 area of the Site to fully delineate and evaluate remedial alternatives to address the residual soil contamination and, if necessary, the groundwater in this area. A draft Administrative Agreement and Order on Consent ("Agreement") and attached Statement of Work ("SOW") are enclosed.

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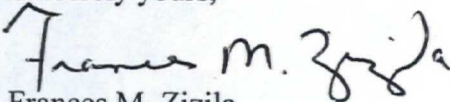


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To facilitate these negotiations, you should submit a written response to this letter indicating your interest, as soon as possible, but no later than thirty (30) days from the date of your receipt of this letter. Your response should include your willingness to conduct and finance the RI/FS, your comments on the draft Agreement and SOW, and your willingness to reimburse EPA for costs incurred in overseeing the performance of the RI/FS.

Should you have any questions regarding this matter, please do not hesitate to call me at (212) 637-3135.

Sincerely yours,



Frances M. Zizila  
Assistant Regional Counsel

enclosures

cc: Richard Engel, NJ DAG (w/o encl.)

Michael David Lichtenstein, Esq.  
Lowenstein Sandler PC  
65 Livingston Avenue  
Roseland, NJ 07068

Patricia Pierre, EPA Remedial Project Manager